

Appln. No. 10/689,139
Amendment
Reply to Office Action dated April 20, 2005

Docket No. 304-815

REMARKS

The foregoing amendments and these remarks are in response to the Final Office Action dated April 20, 2005. This amendment is timely filed.

At the time of the Office Action, claims 1-12, 14-19, 21 and 25-44 were pending in the application. Claims 22-24 have been withdrawn from consideration. In the Office Action, objections were raised to claims 14 and 15. Claims 25-41 and 44 were rejected under 35 U.S.C. §102(b). Claims 1-12, 16-19 and 21 are allowed. The objections and rejections are discussed in more detail below.

I. Claim Objections

Claims 14 and 15 were objected to because both claims were dependent on cancelled claim 13. Appropriate amendments are made herein so that both claims are now dependent upon claim 1, and withdrawal of the objection is thus respectfully requested.

II. Rejections to the claims based upon Art

Claims 25-41 and 44 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,313,840 to Chen.

Applicant has introduced into claim 25 the limitation that a sensor element surface is located on the underside of a non-flexible and electrically isolating plate. Support for this amendment is found in Fig. 6 and in paragraphs [0042] to [0045].

Chen clearly and only describes a flexible layer (14) and would not function with a non-flexible plate over the sensor element. The flexible layer 14 has to be an elastic layer, otherwise it would not be possible to transfer the force from the object 16 to the cursor 3 through the layer 14. As can be understood from column 2, lines 19 to 21 of Chen, it is only with a flexible layer that it is possible to apply the shear force from the object 16 to the layer 14 by stretching layer 14 and laterally displacing the cursor. This would not be possible with a cover made of a rigid and electrically insulating material, as recited in claim 25. Claim 25 is thus believed to relate to

{WP280956,1}

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patentable subject matter and to be in condition for allowance. The dependent claims are also believed allowable because of their dependence upon an allowable base claim, and because of the further features recited.

New claim 45 is added herein, which corresponds to claim 42 rewritten in independent form as claim 42 was indicated to be allowable if rewritten to include all of the limitations of the base claim and any intervening claim.

III. Conclusion

Applicants have made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicants invite the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicants respectfully request reconsideration and prompt allowance of the pending claims.

Date: 2/2/06

Respectfully submitted,



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